

HB 2482 with HCA 1 -- HEALTH CARE RECORDS OF DECEASED

SPONSOR: Haahr

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Health and Mental Health Policy by a vote of 10 to 0.

This bill allows a health care provider to disclose a deceased patient's health care or payment records to the executor or administrator of his or her estate, or the power of attorney for health care that specifically directs the health care records be released to him or her after death. If no one has been appointed, and the deceased did not object to disclosure of his or her records in writing, the records shall be released, upon written request, to his or her surviving spouse or personal representative, as specified in the bill.

This bill is similar to HB 181 (2015).

HCA #1: This amendment specifies that disclosures under the bill cannot be inconsistent with any prior expressed preference of the deceased that is known to the health care provider.

PROPONENTS: Supporters say that the bill changes the costs that can be obtained by a provider for copies of medical records and gives the ability to obtain records of a deceased patient to certain individuals. The bill makes an extension of attorney-in-fact powers to after a person is deceased so long as such extension is enumerated in the power of attorney. The bill complies with the Health Insurance Portability and Accountability Act and provides guidance to providers and patients as to who can access records. There were huge battles between lawyers and doctors regarding charges for medical records, thus created the Consumer Pricing Index (CPI) portion in 2011. If the bill passes without CPI numbers, it will go back to previous numbers. Supporters would like to update the bill with an amendment to include the 2016 numbers.

Testifying for the bill were Representative Haahr; SSM Health Care; Missouri Hospital Association; and Multistate Associates For Healthport.

OPPONENTS: There was no opposition voiced to the committee.